

COASTAL CONSERVANCY

Staff Recommendation  
December 11, 2003

**BAXTER CREEK RESTORATION DESIGN AND PUBLIC ACCESS**

File No. 03-125  
Project Manager: Ann Buell

**RECOMMENDED ACTION:** Authorization to disburse up to \$100,000 to the City of El Cerrito to produce final construction documents and a maintenance and management plan for restoration of Baxter Creek and a parallel multi-use trail; to complete environmental review and obtain permits for the construction; and to create educational signage for this public open space in the cities of El Cerrito and Richmond, Contra Costa County.

**LOCATION:** This section of Baxter Creek is located in the cities of El Cerrito and Richmond in Contra Costa County (Exhibits 1 and 2).

**PROGRAM CATEGORY:** San Francisco Bay Area Conservancy

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**EXHIBITS**

- Exhibit 1: Project Location Map
  - Exhibit 2: Project Site Map
  - Exhibit 3: Photograph
  - Exhibit 4: Conceptual Design
  - Exhibit 5: Letters of Support
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**RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160-31164. of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred thousand dollars (\$100,000) to the City of El Cerrito to produce final construction documents for restoration of Baxter Creek and the creation of a multi-use trail; the development of a maintenance and management plan for this public open space; environmental documents and permits for construction; and the design and development of interpretive signs and an educational kiosk, subject to the condition that prior to the disbursement of any Conservancy funds, the City of El Cerrito shall submit for the review and written approval of the Executive Officer a detailed work program, budget and schedule for project completion; and the names and qualifications of any contractors and subcontractors to be used.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Public Resources Code Sections 31160-31164 regarding the Conservancy's mandate to address the resource and recreational goals of the San Francisco Bay Area.
  2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”
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**PROJECT SUMMARY:**

Staff requests authorization to disburse up to \$100,000 to the City of El Cerrito to produce final construction documents and a maintenance and management plan for restoration of a 650-foot stretch of Baxter Creek and a parallel multi-use trail; to complete environmental review and obtain permits for the construction; and to create educational signage for this public open space in the Cities of El Cerrito and Richmond, Contra Costa County. Restoration of this section of the creek will enhance habitat, water quality, aesthetics, and educational opportunities. The bicycle and pedestrian trail will enhance recreational opportunities and transit connections for the region.

Baxter Creek is a channelized urban creek that flows from the East Bay hills to San Francisco Bay. Sections upstream and downstream have already been restored, but this 650-foot stretch suffers from erosion, overgrowth of invasive exotic plants in parts, and lack of canopy cover in other parts (Exhibit 3). Water quality and habitat for fish and wildlife are degraded. The creek occasionally floods and is frequently clogged with trash.

The 1.64-acre project site, which was purchased in March 2003 with funding from the Coastal Conservancy and the City of El Cerrito, is positioned next to San Pablo Avenue at the end of the regional Ohlone Greenway, a bicycle/pedestrian trail that begins in Berkeley (Exhibit 2). Planned upgrading of this parcel includes the construction of a paved extension to the Ohlone Greenway. The trail will parallel the creek and exit the property at San Pablo Avenue (Exhibit 4). Efforts are underway on the opposite side of San Pablo Avenue to build the Richmond Greenway, another paved multi-use trail leading to the Bay Trail.

The City of El Cerrito will work with partners at the Urban Creeks Council and the East Bay Conservation Corps to develop the long-term maintenance plan for the site. The City of El Cerrito has approved an annual budget for the maintenance of Baxter (and Cerrito) Creek. The Friends of Baxter Creek and the Aquatic Outreach Institute have both worked cooperatively with the City of El Cerrito for more than five years to see these improvements to Baxter Creek become a reality. With their help, plans will be made for interpretive signage for the site and for an educational kiosk. A park-like environment will be developed alongside the creek and trail and elsewhere on the property (Exhibit 4).

San Francisco Bay Area Conservancy program staff expects this project to serve as a model for urban creek restoration and, in particular, for restoration project integration with educational and recreational opportunities. The site is easily accessible, highly visible, and the City of El Cerrito and partner organizations have demonstrated their commitment and competence elsewhere on Baxter Creek and on neighboring Cerrito Creek.

**Site Description:** The 1.64-acre project site is an irregularly shaped, unimproved parcel with frontage on San Pablo Avenue near Ohio Avenue in the cities of El Cerrito and Richmond (Exhibit 3). A significant portion of the property is traversed by Baxter Creek, which follows the eastern property line of most of the site to a width of approximately 25 feet. Parallel to the creek is an abandoned railroad right-of-way, which is still prominent but no longer includes the rails. The topography of the property is generally level with the exception of the bermed areas alongside Baxter Creek.

Baxter Creek is an open, straightened, dirt-lined channel that enters the property from a culvert and exits into another culvert under San Pablo Avenue. It eventually flows into San Francisco Bay. There is partial canopy cover over about half the length of this 650-foot channel, mostly consisting of willows and tules, and the rest is denuded. A small amount of habitat is available for Pacific chorus frogs and song birds. There have been homeless encampments under the willows along the creek in the recent past, and trash is regularly found in the channel.

To the southeast of the property the old railroad right-of-way has been converted to a bicycle and pedestrian trail called the Ohlone Greenway. The railroad right-of-way on the property is well suited for conversion to a bicycle and pedestrian trail that would connect with the Ohlone Greenway.

Surrounding land uses include retail and service commercial uses, and the Bay Area Rapid Transit (BART) train passes overhead. The project site is ¼ mile north of the Del Norte BART station and is very visible from the San Pablo Avenue transportation corridor. Zoning is a mix of commercial/retail use and open space and all but .07 acres of the property lie in the City of El Cerrito.

**Project History:** This project continues efforts initiated in 1995 by the Cities of El Cerrito, Berkeley, and Richmond; the East Bay Regional Park District; and the University of California at Berkeley to restore creek corridors as natural transportation routes connecting communities east of Interstate 80 with the shoreline of San Francisco Bay via pedestrian and bicycle paths along creekside greenways (1995 Joint Watershed Goals Statement). The Friends of Baxter Creek have worked since 1997 to protect and enhance the full length of Baxter Creek and their participation in the restoration and protection of this creek has continued since the property on San Pablo Avenue was purchased earlier this year by the City of El Cerrito with help from the Conservancy (\$350,000, September 2002). The Conservancy also helped fund successful creek restoration downstream at Booker T. Anderson, Jr. Park in Richmond in 2000 (\$45,000 to the Urban Creeks Council).

**PROJECT FINANCING:**

Coastal Conservancy	\$100,000
City of El Cerrito	25,000
NPDES	<u>10,000</u>
<b>Total Project Cost</b>	<b>\$135,000</b>

The Conservancy's contribution is expected to come from the Conservancy's FY 03/04 appropriation from the "Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002" (Proposition 50). Proposition 50 funds can be used for grants for coastal watershed protection activities under Public Resources Code Division 21 (the Conservancy's enabling legislation).

Pursuant to Section 31162(b) of Chapter 4.5 of Division 21, this project furthers the San Francisco Bay Area Conservancy Program's goal to protect, restore, and enhance natural habitats. Moreover, the educational component of the project furthers public understanding of and involvement and participation in the watershed and its restoration, goals specifically recognized by Proposition 50. This project, which serves to restore a portion of the San Francisco Bay watershed and to improve water quality, is also consistent with the San Francisco Bay Regional Water Quality Control Board's goal to protect beneficial resources, as described in the Water Quality Control Plan for the San Francisco Bay Basin (1995).

**CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

This project is undertaken pursuant to Chapter 4.5 of the Conservancy's enabling legislation, Public Resources Code Sections 31160-31164, to address resource goals in the San Francisco Bay Area. In particular, the Conservancy may award grants to protect, restore, and enhance natural habitats and connecting corridors, watersheds, scenic areas, and other open-space resources of regional significance (§31162(b)); assist in the implementation of the adopted plans of local governments (§31162(c)); and promote, assist, and enhance projects that provide open space and natural areas that are accessible to urban populations for recreational and educational purposes (§31162(d)). This grant would provide the construction plans for restoration of 650 feet of Baxter Creek and for a bicycle/pedestrian trail extending the regional Ohlone Greenway trail; would further goals set forth in the City of El Cerrito's adopted General Plan (1994) and 1995 Joint Watershed Goals statement; and provide environmental education opportunities through a kiosk and interpretive signs.

The proposed project satisfies the criteria for Bay Program priority set forth in §31163(d) in the following respects: 1) it is supported by adopted local and regional plans, as stated above; 2) it will serve a regional constituency by making it possible to complete an important link to the Bay Trail (by connecting to the Richmond Greenway to the west); 3) it can be implemented in a timely way because the conceptual design is already complete; and 4) it includes matching funds.

**CONSISTENCY WITH CONSERVANCY'S STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 10, Objective A** of the Conservancy's Strategic Plan, the proposed project would restore approximately 650 feet of riparian habitat in the nine-county San Francisco Bay Area (Contra Costa County).

Consistent with **Goal 10, Objective B** of the Conservancy's Strategic Plan, the proposed project would result in construction plans and environmental documents for the implementation of riparian restoration and bicycle/pedestrian trail construction.

Consistent with **Goal 11, Objective A** of the Conservancy's Strategic Plan, the proposed project would result in the construction of an extension to the Ohlone Greenway bicycle/pedestrian trail and will include interpretive signs and a kiosk for public environmental education.

Consistent with **Goal 11, Objective B** of the Conservancy's Strategic Plan, this segment of the trail is designed to link to the Richmond Greenway in the future and thus would be part of a trail connecting the urban populations of Berkeley, Albany, El Cerrito, and Richmond to the Bay Trail and San Francisco Bay.

Consistent with **Goal 11, Objective C** of the Conservancy's Strategic Plan, the involvement of the Friends of Baxter Creek and the Aquatic Outreach Institute would result in new interpretive activities tied to the creek restoration work at the site.

**CONSISTENCY WITH CONSERVANCY'S  
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, in the following respects:

**Required Criteria**

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** This project is supported by Assembly Member Loni Hancock, former Assembly Member Dion Aroner, Supervisor John Gioia, the City of Richmond, the Friends of Baxter Creek, the Aquatic Outreach Institute, Friends of Five Creeks, the East Bay Bicycle Coalition, the Urban Creeks Council, the National Park Service, the San Francisco Bay Trail Project, and Sustainable El Cerrito, as well as by local artists.
4. **Location:** This project is located at the border of the cities of El Cerrito and Richmond on San Pablo Avenue in western Contra Costa County. The riparian restoration will improve water quality in Baxter Creek, which drains into San Francisco Bay. The high visibility of this location will inform passers-by of the existence of the creek and this connector trail to the Bay Trail.
5. **Need:** The City of El Cerrito does not currently have all the funding needed for this multi-faceted project and Conservancy funding is needed to fill the gap. The City is seeking implementation funds from other sources.
6. **Greater-than-local interest:** Restoration and enhancement of Baxter Creek at this and other locations in Contra Costa County is part of a larger urban creek restoration movement in the East Bay. Each section of Baxter Creek that is restored is adding to a reduction in pollution entering San Francisco Bay through this watershed while also increasing available habitat for urban wildlife and opportunities for environmental education for urban populations. The bicycle/pedestrian trail is also part of a regional effort to connect urban populations from Berkeley through Richmond on the Ohlone Greenway and Richmond Greenway.

**Additional Criteria**

7. **Urgency:** In-kind technical services and facilitation assistance are available to this project from the Rivers, Trails and Conservation Assistance Program of the National Park Service (NPS) through September 2004. NPS involvement is helping to maintain the momentum of this project.
8. **Resolution of more than one issue:** Baxter Creek will be restored to a natural stream corridor with habitat and water quality improvements and the restored creek will provide educa-

tional opportunities for the region. The bicycle/pedestrian trail will extend the Ohlone Greenway out to San Pablo Avenue, closing one of the remaining gaps in this connector trail to the Bay Trail.

9. **Leverage:** See the “Project Financing” section above.
12. **Readiness:** A conceptual plan for the project is complete and the grantee has staff on hand to move forward on the project as soon as funding is in place.
13. **Realization of prior Conservancy goals:** The proposed project furthers restoration of Baxter Creek while also serving to close a gap in the envisioned regional trail connection of the Ohlone Greenway to the Richmond Greenway to the Bay Trail on the Richmond Marina.
15. **Cooperation:** A variety of government agencies are working together with nonprofit organizations to implement this restoration, public access, and education project.

**COMPLIANCE WITH CEQA:**

The completion of construction plans, environmental compliance and permitting, and development of interpretive signs are statutorily exempt from the California Environmental Quality Act (CEQA) under 14 Cal. Code of Regulations Section 15262 in that it involves only planning for possible future implementation, which the Conservancy has neither approved, adopted, nor funded. Upon approval, staff will file a Notice of Exemption for this project.